

## Message Text

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ACTION EB-07

INFO OCT-01 EA-06 ISO-00 NEA-10 CAB-02 CIAE-00 COME-00

DODE-00 DOTE-00 INR-07 NSAE-00 FAA-00 L-03 /036 W

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R 180959Z JUL 75

FM AMEMBASSY MANILA

TO SECSTATE WASHDC 5618

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E.O. 11652: N/A

TAGS: EAIR, RP

SUBJECT: CIVAIR: UNITED AIRLINES CHARTER FLIGHT DETAINED AT MIA

REF: STATE 168775

1. UAL BANGKOK/GUAM CHARTER CLEARED FOR TAKEOFF THIS NOON  
UPON PRESENTATION TO PHILIPPINE FIRST AIR DIVISION OF  
DIPLOMATIC NOTE FROM EMBASSY AND LETTER OF EXPLANATION FROM  
CAPTAIN OF UAL FLIGHT.

2. EMBASSY IN PAST MONTHS HAS UTILIZED EVERY MEANS AVAILABLE  
TO ADVISE DEPARTMENT AND U.S. AIRLINES THAT PHILIPPINES IS  
SERIOUS IN ITS INTENT TO ENFORCE RESPECT FOR ITS SOVEREIGNTY  
OVER ITS AIR SPACE. REQUEST THAT DEPARTMENT INSTITUTE  
ISSUANCE OR REISSUANCE OF NOTAM OR WHATEVER OTHER MEASURES  
MAY BE NECESSARY TO IMPRESS UPON U.S. AVIATION COMPANIES  
THE CONSEQUENCES OF NEGLECT OF PHILIPPINE CLEARANCE PROCEDURES.

3. FOLLOWING ARE ADDITIONAL DETAILS WHICH DEPARTMENT QUITE  
LIKELY WAS NOT ADVISED OF BY V.P. P.A. WOODS. UAL PRIOR  
TO GUAL BANGKOK FLIGHT CONTACTED PAN AM RESIDENT MANAGER  
REGARDING BEST ROUTE FOR FLIGHT. MANAGER HAS STATED TO  
EMBOFF THAT AFTER PROVIDING ROUTE RECOMMENDATIONS, HE  
EXPLICITLY STATED THAT OVERFLIGHT CLEARANCE WOULD BE  
REQUIRED.

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4. AIRCRAFT TRANSITED PHILIPPINES TO BANGKOK DURING

NIGHT OF SEVERE THUNDERSTORMS, AND IN CONFUSION LACK OF CLEARANCE WAS APPARENTLY NOT NOTED. WHEN CAPTAIN FILED HIS FLIGHT PLAN FOR RETURN FLIGHT, PHILIPPINE AIR TRAFFIC CONTROLLERS SPOTTED APPARENT ABSENCE OF CLEARANCE AND QUERIED CAPTAIN, WHO ALLEGEDLY CLAIMED HE WAS ON MAC CHARTER. PHILIPPINE AUTHORITIES THEN CHECKED WITH U.S. AIR FORCE, WHICH DETERMINED AIRCRAFT WAS NOT MAC CHARTER. AIRCRAFT WAS THEN ADVISED THAT IF IT LACKED CLEARANCE, IT WOULD BE BETTER ADVISED TO AVOID PHILIPPINE AIRSPACE. AIRCRAFT PROCEEDED ANYWAY, WITH RESULTS KNOWN TO DEPARTMENT. CAPTAIN PRESENTLY DENIES HE CLAIMED TO BE MAC CHARTER, DENIES HE WAS ADVISED TO AVOID PHILIPPINE AIRSPACE, AND CLAIMED UPON LANDING THAT HE THOUGHT HE HAD CLEARANCE BECAUSE: A HE HAD TRANSITED PHILIPPINES ENROUTE TO THAILAND WITHOUT DIFFICULTY, AND B. HE HAD PAPERS FROM THAI GOVERNMENT GIVING APPROVAL FOR CHARTER FLIGHT.

5. PHILIPPINE AUTHORITIES DID NOT LIGHTLY GROUND PLANE, WITH ITS 149 STUDENT PASSENGERS. THEY CAREFULLY CHECKED OUT EVERY POSSIBILITY THAT PLANE MIGHT HAVE BEEN CLEARED, AND THEY WERE SOLICITOUS OF WELFARE OF PASSENGERS ONCE PLANE HAD LANDED. HOWEVER, ONCE IT BECAME EVIDENT THAT PLANE DID IN FACT LACK CLEARANCE AND WAS, MOREOVER, APPARENTLY ATTEMPTING TO BRAZEN ITS WAY THROUGH, GROUNDING WAS INEVITABLE.

6. IN ADDITION TO URGING DEPARTMENT TO TAKE MEASURES TO ENSURE THAT THESE INCIDENTS ARE NOT REPEATED, EMBASSY WOULD LIKE TO POINT OUT THAT ONCE A PLANE IS GOUNDED FOR LACK OF OVERFLIGHT CLEARANCE, THERE IS NO REPEAT NO POSSIBILITY THAT PLANE WILL BE RELEASED BEFORE MORNING. V.P. WOODS APPROACH TO DEPARTMENT WAS MOTIVATED BY CAPTAIN'S BELIEF THAT SUCH AN APPROACH WOULD GET PLANE RELEASE AT ONCE. SUCH HOPES ARE IN VAIN; THERE IS A RULE NOTHING PRODUCTIVE WHICH EMBASSY CAN ACCOMPLISH TO REMEDY CLEARANCE ERRORS IN MIDDLE OF THE NIGHT. SULLIVAN

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## Message Attributes

**Automatic Decaptioning:** X  
**Capture Date:** 01 JAN 1994  
**Channel Indicators:** n/a  
**Current Classification:** UNCLASSIFIED  
**Concepts:** AIRCRAFT DETENTION, FLIGHT CLEARANCES, AIRSPACE VIOLATIONS  
**Control Number:** n/a  
**Copy:** SINGLE  
**Draft Date:** 18 JUL 1975  
**Decaption Date:** 01 JAN 1960  
**Decaption Note:**  
**Disposition Action:** RELEASED  
**Disposition Approved on Date:**  
**Disposition Authority:** greeneet  
**Disposition Case Number:** n/a  
**Disposition Comment:** 25 YEAR REVIEW  
**Disposition Date:** 28 MAY 2004  
**Disposition Event:**  
**Disposition History:** n/a  
**Disposition Reason:**  
**Disposition Remarks:**  
**Document Number:** 1975MANILA09894  
**Document Source:** CORE  
**Document Unique ID:** 00  
**Drafter:** n/a  
**Enclosure:** n/a  
**Executive Order:** N/A  
**Errors:** N/A  
**Film Number:** D750249-0648  
**From:** MANILA  
**Handling Restrictions:** n/a  
**Image Path:**  
**ISecure:** 1  
**Legacy Key:** link1975/newtext/t19750743/aaaabmdq.tel  
**Line Count:** 98  
**Locator:** TEXT ON-LINE, ON MICROFILM  
**Office:** ACTION EB  
**Original Classification:** LIMITED OFFICIAL USE  
**Original Handling Restrictions:** n/a  
**Original Previous Classification:** n/a  
**Original Previous Handling Restrictions:** n/a  
**Page Count:** 2  
**Previous Channel Indicators:** n/a  
**Previous Classification:** LIMITED OFFICIAL USE  
**Previous Handling Restrictions:** n/a  
**Reference:** 75 STATE 168775  
**Review Action:** RELEASED, APPROVED  
**Review Authority:** greeneet  
**Review Comment:** n/a  
**Review Content Flags:**  
**Review Date:** 23 JUL 2003  
**Review Event:**  
**Review Exemptions:** n/a  
**Review History:** RELEASED <23 JUL 2003 by ShawDG>; APPROVED <19 NOV 2003 by greeneet>  
**Review Markings:**

Margaret P. Grafeld  
Declassified/Released  
US Department of State  
EO Systematic Review  
06 JUL 2006

**Review Media Identifier:**  
**Review Referrals:** n/a  
**Review Release Date:** n/a  
**Review Release Event:** n/a  
**Review Transfer Date:**  
**Review Withdrawn Fields:** n/a  
**Secure:** OPEN  
**Status:** NATIVE  
**Subject:** CIVAIR: UNITED AIRLINES CHARTER FLIGHT DETAINED AT MIA  
**TAGS:** EAIR, OCLR, RP, US, UNITED AIRLINES  
**To:** STATE  
**Type:** TE  
**Markings:** Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 06 JUL 2006